

Amendment to the Drawings:

The attached sheet of drawings includes changes to the Figure. This sheet, which includes the Figure replaces the original sheet including the Figure. In the Figure the margin has been changed to identify the present application as required by the Examiner. Applicant hereby requests that said proposed amendments be approved and accepted.

REMARKS

Claims 1-21 are amended. Claims 1 to 21 are pending in the application.

In the Office Action dated December 14, 2008, claims 9, 10 and 14 to 21 were objected to, while claims 1-8 and 11-13 were rejected. Claims 1 to 21 are amended; support for the amendments can be found for example in the specification at least on page 7 lines 21 to 29 and claims 1 to 20 as originally presented. Applicant has not amended the claims in view of the Examiner's art rejections, which are respectfully traversed for the reasons stated below. Rather, Applicant has amended the claims in order to better define the nature of protection sought.

The Examiner contends that the application does not contain an abstract as required under 37 CFR 1.72(b). Applicant notes however that the front cover of the published version of the specification US Publication No 2007/0177568 appears to contain an abstract. On a review of the published abstract, applicant notes a number of typographical errors and in the interest of expediting prosecution of the present application, applicant provides herewith an amended abstract.

The drawings stand objected to based upon the labeling in the margin which reflects the identification of the corresponding PCT application rather than the present application. Applicant submits herewith a version of the drawings bearing proper identification of the application.

The Examiner objected to claims 9, 10 and 14 to 21 under 37 CFR 1.75(c) as being of improper form as these multiply depended claims depend from an earlier multiply dependent claim. Applicant has amended claims 9, 10 and 14 to 21 to remove the objectionable dependencies and requests reconsideration of claims 9, 10 and 14 to 21 based on their merits.

The Examiner has rejected claims 1-8 and 11-13 under 35 U.S.C §103(a) as being unpatentable over US Publication No 2002/0141384 to *Liu et al* (hereinafter *Liu*) in view of US Publication No. 2003/0137991 to *Doshi et al* (hereinafter *Doshi*). Applicant respectfully submits that the rejection of claims 1-8 and 11-13 under 35 U.S.C. § 103(a) is untenable and cannot be maintained at least for the reasons stated below.

US Publication No 2002/0141384 to *Liu et al*

Liu discusses a method of **establishing an audio communication link** (*Liu*, abstract, emphasis added) utilizing media datagrams between a first telephony client located behind a network address translation server and a remote second telephony client. Under the system of *Liu* a call is initiated by a first Internet client to a second Internet client, the first Internet client signals the second Internet client referred to in *Liu* as a media setup message exchange. After media session set up messages are exchanged, each of the Internet clients exchange compressed voice data utilizing real

time protocol (RTP), wherein media datagrams sent over UDP/IP logical channels to provide for a full duplex internet telephony conversation.

In operation, the first Internet client receives a 10-digit telephone number from an operator which identifies the second Internet client. *Liu* makes use of the fact that 10-digit telephone numbers once assigned to a particular device remain relatively stable, unlike the 12-digit IP address used by each Internet client which can change each time the device logs onto an ISP network. Once the first Internet client receives the 10-digit telephone number it opens a TCP/IP connection with the directory server. The directory server facilitates locating a desired client on the Internet for establishing Internet telephony communications between the first Internet client and second Internet client. More specifically, the directory server includes a mapping table which correlates a **10-digit identification number** which is **permanently assigned** to each Internet client with the **12-digit IP address and port number** which the Internet client has **most recently registered** with the directory server for receipt of Internet telephony calls (*Liu*, paragraph [0034], lines 2 to 15, emphasis added). The directory server then provides the connection IP address and port number currently utilized by the second Internet client for receipt of call signaling messages to the first Internet client. Utilizing this information the first Internet client is capable of opening the call signaling connection, without requiring the operator to input an IP address associated with the second Internet client.

As it is desirable to provide for initiating a telephone call at an Internet client and terminating the call at a traditional telephone device (*Liu* paragraph [0036] lines1 to 3), a PSTN bridge is provided for relaying audio data between a device on the Internet and a traditional telephone device coupled to the public switched telephone network (PSTN). The PSTN bridge operates as a telephony client in the above discussed manner for communicating audio data representing a telephone conversation with a remote telephony client via the Internet and operates as a PSTN telephone for communicating audio data representing the telephone conversation with a remote telephone device via the PSTN.

Thus *Liu* is directed to a system and method for establishing a voice over IP connection between two parties wherein a permanent ID (a 10-digit phone number) is assigned to each user in the system. The permanent ID is then mapped to a roaming IP address.

US Publication No. 2003/0137991 to Doshi et al

Doshi discusses a process for optimized gateway selection process based on the use of a Universal Mobility Manager (UMM). The UMM is capable of holding location information for diverse cellular networks, as well as for Internet telephony systems. For cellular networks, UMM acts as a traditional HLR while for an Internet telephony network, it acts as the entities that are responsible for user/terminal registration and address

resolution. Selection of an optimal gateway is then based on location related information provided by the UMM which had not previously been available.

FIG. 6 of *Doshi* illustrates the signaling flow for the set-up of calls from SIP agent to a mobile phone, using the UMM. In this scenario, the UMM, in essence appears, as an integrated SIP proxy/location server to the originating SIP network. Consequently, the UMM acts as an inbound proxy responsible for a given domain.

In operation a SIP invite request from a SIP user agent for a mobile phone number arrives at the UMM. The UMM knows the serving MSC of phone, this is as the UMM of *Doshi* has the capability to simultaneously act as a cellular HLR (*Doshi*, paragraph [0050], lines 5 to 7, emphasis added). The location information is used to assign a location dependent, fully routable temporary phone number to the mobile phone. As stated in *Doshi*, a significant feature of the system and method recited therein is that the **UMM utilizes the temporary phone number to reduce the gateway selection problem** for a call to a mobile to the fixed-wired case (*Doshi*, paragraph [0050], lines 9 to 11, emphasis added). Since the temporary phone number is very much the same as a regular fixed-wire phone number, it can be used as the input for the fixed-wire gateway selection.

Once a gateway has been selected on based on the temporary phone number, the UMM sends an invite request to the gateway. The **gateway then sends an Initial Address Message to the serving MSC**. The **serving MSC**

forwards the call request to the mobile phone (*Doshi*, paragraph [0051], lines 3 to 7, emphasis added). Eventually, RTP media flows over the IP call leg (SIP agent to gateway), and circuit-switched data flows over the PSTN call leg (gateway to MSC to mobile phone).

Doshi therefore provides a methodology wherein the call path can bypass the callee's home MSC (for calls to ANSI41) or the gateway MSC (for calls to GSM/UMTS). Usually, these entities are needed to permit the mobile phone to be mapped to a temporary, fixed-wire phone number. Bypassing the callee's home MSC allows the UMM the freedom to select a telephony gateway anywhere between caller and callee, instead of somewhere between caller and home MSC or gateway MSC.

Thus *Doshi* is directed to a system and method wherein a temporary phone number is utilized by a UMM to select the optimal telephony gateway to initiate a voice call between an IP network and a circuit switched network.

Liu in view of *Doshi*

From the above discussion, it is apparent that the *Liu* and *Doshi* references are silent regarding a number of salient features as presently recited in claim 1. Claim 1 as presently presented recites *inert alia* accessing a web-site via a the computer, sending a message to a message server from the web-site, capturing at the message server the computer's IP address and port number, assigning a temporary phone number to the

computer based on IP address and port number, delivering the message together with the temporary phone number to the mobile telecommunication device whereby a user of the mobile telecommunication device can send a response message to the computer.

The Examiner contends that *Liu* discloses a message server which sends a message to a mobile phone. In support of this contention, the Examiner relies upon the combination of the directory server 18 and database 19 of the *Liu* reference. Applicant respectfully disagrees. The directory server is in no way equivalent to the message server of the instant application. As previously stated, the directory server of *Liu* provides the IP address and port number of the last registered location at which the second Internet client received calls to the first Internet client, based on ID permanently assigned to the second Internet client. The directory server of *Liu* does not assign a temporary telephone number to an IP address, rather it associates a static telephone number with the IP address at which a particular device was last registered.

Moreover, *Liu* fails to teach or suggest the feature of a message server delivering a message to a mobile telecommunications device. Rather the delivery server of *Liu* receives a request from the first Internet client in response to which it provides the relevant IP address of the last known registered location from which the second Internet client was serviced. Once the first Internet client is provided with this information it exchanges media setup messages with the second client to establish an

audio channel between the two. As previously stated, *Liu* is primarily concerned with the establishment of a voice over IP secession. *Liu* fails to teach or suggest sending a message via a web site to a message server and then having the message server deliver the message together with a temporary phone number to a mobile telecommunications device as recited in claim 1. *Liu* is wholly silent as to the use of mobile telecommunications device *per se*.

Doshi, likewise, fails to teach or suggest the feature of a message server delivering a message together with a temporary phone number to a mobile telecommunications device. As noted above the UMM of *Doshi* utilizes location information to assign a location dependent, fully routable temporary phone number to the mobile phone. The UMM then uses the temporary phone number to select the optimal telephony gateway through which to rout the call request. The gateway then signals the appropriate MSC in order to establish a voice connection between the SIP agent and the mobile communications device. Consequently the UMM of *Doshi* does not deliver a message or the temporary phone number to a mobile communications device as presently recited in claim 1.

In addition to the above, *Liu*, as noted by the Examiner, fails to teach or suggest the feature of accessing a web site to send a message to a mobile communications device. This function, however, in the Examiner's opinion is taught in the *Doshi* reference and more specifically at paragraph [0046] of the reference in question.

The referenced paragraph of *Doshi* discusses the use of one or more APIs that interface to one or more application servers to provide service providers with an interface to provision user profiles through web-based interfaces as well as CORBA (Common Object Request Broker Architecture) based programming interface to the provider's provisioning center. The interface may also be used by an end-user to update the user's database entries though a web browser, e.g., supplementary service activation, call forwarding number update, and prepaid service updates, in which case the AG acts as a web server. The passage does not teach or suggest the use of a web site to send a message to mobile telecommunications device via a message server as recited in claim 1. Rather the passage at best discloses the use of an API to allow service providers or end users to update user profiles. Accordingly *Doshi* fails to teach or suggest accessing a web site to send a message to a mobile communications device.

Applicant also notes that the Examiner's comments that it would be obvious to a person of ordinary skill to apply the teaching of *Doshi* in view of the apparent motivation (being to minimize the circuit switched portion of a call) recited at paragraph [0007] of the *Doshi* reference. Applicant respectfully submits that no motivation to combine the reference is apparent in this instance, despite the recitation of the identified passage of *Doshi*.

As stated above, *Liu* is directed to a system and method for implementing a voice call over an IP network wherein the calling party locates the called party by a 10-digit identification number (which is

permanently assigned to each party within the system). The 10-digit identification number is mapped to a 12-digit IP address and port number which the Internet client has most recently registered with the directory server for receipt of Internet telephony calls. *Doshi* by contrast is directed to a system for selecting a gateway on the basis of a temporary telephone number assigned on the basis to facilitate a voice connection between an IP network and a circuit switched network. Thus, *Doshi* and *Liu* are directed to entirely different systems for the establishment of a voice connection between two parties, wherein a portion of the connection is transmitted over an IP network. Consequently, a person of ordinary skill would not be motivated to combine the references in the recited manner as the teachings of the references are divergent.

Applicant submits that it would not be obvious to a person skilled in the art to combine the references in the recited manner as *Liu* and *Doshi* are directed distinctly different and divergent system and methods for affecting a voice call between an IP network and a standard circuit switch phone network. Moreover, even if the references were combined in the recited manner, the resultant combination of the documents fails to cure the aforementioned deficiencies. Neither the *Liu* nor *Doshi* reference teach or suggest a message server to deliver a message and temporary phone number to a mobile communications device. Nor do the references relied upon by the Examiner teach or suggest accessing a website to send a message to a message server.

Furthermore, as the Applicant has noted above, both the *Liu* and *Doshi* references concern the creation of a voice connection between an IP network and a phone network. The instant application does not utilize a voice connection as required by *Liu* and *Doshi*.

In light of the above discussion, Applicant therefore respectfully request that the rejection be withdrawn.

Claim 11 recites similar limitations to that of claim 1 and as such is considered to be patentable over the combination of *Liu* and *Doshi* for the reasons stated above.

Claims 2-10 and 12 to 21 are also considered to be in condition for allowance in view of their dependency upon allowable independent claims.

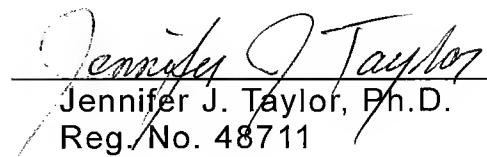
Conclusion

In summary Applicant respectfully submits that claims 1 to 21 as presented herein, patentably distinguish over the combination of the cited references. Therefore, Applicant requests reconsideration of the basis for the rejections to the claims and request allowance of the application.

Respectfully submitted,

Dated: March 17, 2009

By:


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Attachments: Replacement Sheet (For Sheet 1 of 1)

Annotated Sheet Showing Changes (For Sheet 1 of 1)

Annotated Sheet

10/565,312

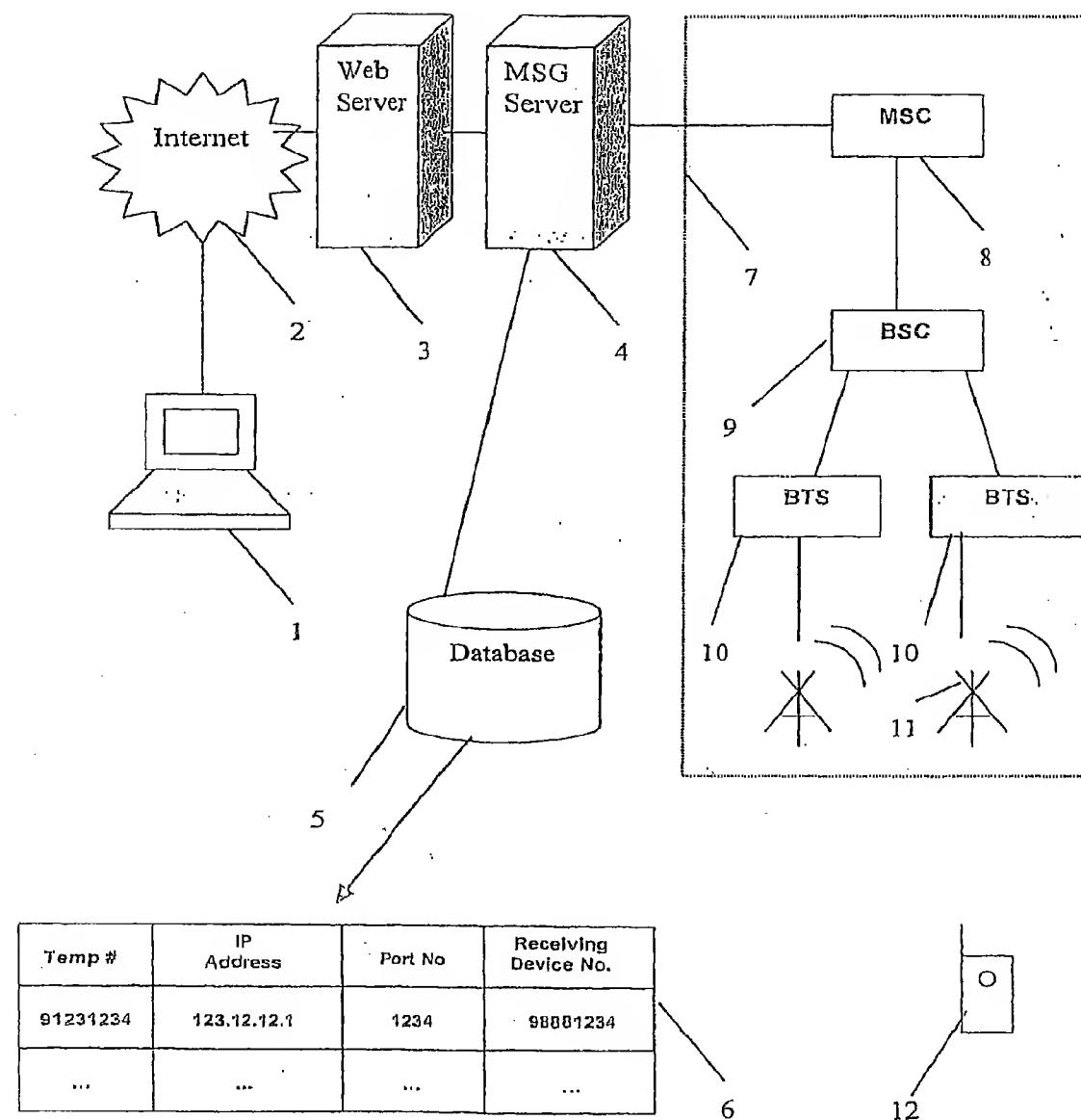


Figure 1